

TABLE OF CONTENTS

	<u>TITLE</u>	<u>PARAGRAPHS</u>
I.	INTRODUCTION	1
II.	COMMENTER QUALIFICATIONS	2-5
III.	COMMENTS	6-10
IV.	CONCLUSION	11-12
V.	FOOTNOTES	Page 7
VI.	CERTIFICATE OF SERVICE	Page 8

RECEIVED

MAR 4 - 1992

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

Federal Communications Commission
Office of the Secretary

In the Matter of)
)
Amendment of Parts 97 of the) RM-7895
Commission's Rules Regarding)
Prohibited Transmissions in)
the Amateur Radio Service)

COMMENTS

Submitted by:

Dr. Michael C. Trahos, D.O., NCE, CET (KB4PGC)
4600 King Street, Suite 4E
Alexandria, Virginia 22042

March 4, 1992

I.

INTRODUCTION

1. Dr. Michael C. Trahos, D.O., NCE, CET (Commenter), pursuant to Section 1.405 of the Federal Communications Commission's (Commission) Rules, hereby submits these timely Comments in response to a Petition for Rule Making (Petition), RM-7895, filed by the American Radio Relay League, Inc. (the League) to amend 47 CFR Part 97 in regards to prohibited transmissions in the Amateur Radio Service.

II. COMMENTER QUALIFICATIONS

2. Commenter is a licensed and actively practicing General Medicine/Family Medicine Physician and Surgeon. Commenter holds the academic faculty appointments of Clinical Professor of Medicine from Ross University School of Medicine and Clinical Instructor, Department of Community and Family Medicine, Georgetown University School of Medicine. Commenter currently holds the position of Chairman - Legislative Affairs Committee and Vice President of the Alexandria [Virginia] Medical Society (AMS), Chairman - Legislative Affairs Committee of the District of Columbia Osteopathic [Medical] Association, immediate past Vice-President of the Virginia [State] Osteopathic Medical Association (VOMA), and VOMA Virginia State Delegate to the [National] American Osteopathic [Medical] Association (AOA) House of Delegates.

3. Commenter was selected and currently serves as the "Medical Profession" representative on the Technical Committee and Chairman - Legislative/Regulatory Affairs Committee of the National Public Safety Planning Advisory Committee's (NPSPAC) Region-20 [State of Maryland, Washington, DC and Northern Virginia] Public Safety Plan Review Committee, for the development and implementation of a Public Safety National/Regional Plan (General

Docket No. 90-7) for the use of the 821-824/866-869 MHz bands by the Public Safety Services pursuant to the Report and Order in General Docket No. 87-112.

4. Commenter is also a certified First Class Telecommunications Engineer, certified by the National Association of Radio and Telecommunications Engineers (NARTE), and possessor of a First Class Certificate of Competency, issued by the Association of Public-Safety Communications Officers (APCO). Commenter has greater than fifteen years experience in the telecommunications field with many of these years spent actively participating in Commission proceedings.

5. Commenter is licensed in the Amateur Radio Service (ARS), the Business Radio Service (BRS), the General Mobile Radio Service (GMRS) and Special Emergency Radio Service (SERS). It is with having the above extensive expertise in dealing with personal, business, medical and emergency/public assistance communications matters that this Commenter is qualified to make the following comments in response to this Petition for Rule Making.

III.

COMMENTS

6. The League's Petition raises the important question of whether personal communications in Amateur Radio should be expanded to include the personal business activities of licensees. This Commenter finds striking similarity between this Petition and the PR Docket 87-265 proceeding which dealt with improving the GMRS from a commercially dominated to a more personal radio service.

7. By 1987, the GMRS was being "overrun" by commercial licensees. The Commission adopted PR Docket 87-265 because it felt that "[a]s a personal radio service, GMRS should not be compromised for the benefit of commercial users at the expense of personal users."1/ By licensing new GMRS systems only to individuals, the Commission believed it would encourage personal and personal business use while discouraging commercial operations."2/

8. In the Report and Order to PR Docket 87-265, the Commission specifically rejected a prohibited personal business "content regulation approach to enhancing personal use in the GMRS."3/ The Commission further believed that "[i]t would not be in the public interest to prescribe in detail the types of communications that could be conducted by GMRS users."4/

9. In PR Docket 87-265, the Commission was dealing with a personal radio service that had become too liberalized and too commercialized. There was a need to return the GMRS to a more neutral, personalized, radio service to serve both the personal and personal business communications needs of individual General Mobile Radio licensees.

10. The similarity between the ARS and GMRS is that Amateur Radio, though not a Part 95 service, is nothing more than another type of personal radio service. However, unlike the GMRS liberal problem, Amateur Radio is at the other extreme, being too conservative and too restrictive towards personal business use. The time has come for the ARS to also become a more neutral, personalized, radio service to serve both the personal and personal business communications needs of Amateur Radio licensees.

IV.

CONCLUSION

11. We live in an environment of governmental deregulation. At the Commission level, this means the deregulation and partial reallocation of those radio services that are too restrictive in order to promote more efficient use of a limited valuable resource, namely the electromagnetic spectrum. Radio users should never believe their radio service is so sacred, it is immune to deregulation and/or reallocation.

12. It is no longer in the public interest for the Commission to prescribe in detail the types of communications that could be conducted by Amateur Radio licensees. The time has come for the Commission to deregulate the Amateur Radio Service, lift content of communications limitations and allow the unrestricted use of amateur spectrum for the personal and personal business needs of Amateur Radio licensees.

Respectfully submitted,

A handwritten signature in cursive script, reading "Michael C. Trahos".

Dr. Michael C. Trahos, D.O., NCE, CET

MCT/mct

V.

FOOTNOTES

1/ REPORT AND ORDER, PR Docket 87-265, FCC 88-318, Paragraph 13.

2/ Ibid.

3/ Ibid, paragraph 14.

4/ Ibid.

VI.

CERTIFICATE OF SERVICE

I, Dr. Michael C. Trahos, do hereby certify that a copy of these COMMENTS were sent by United States First Class Mail to the parties listed below on the day and date first above written.

1. The American Radio Relay League
Christopher D. Imlay, Esquire - General Counsel
1920 N Street, N.W., Suite 150
Washington, D.C. 20036

Respectfully,


Dr. Michael C. Trahos